

# INTERNATIONAL SEARCH REPORT

PCT/GB2004/003491

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> IPC 7 G01N33/543 G01N33/53 G01N33/569 C12P21/00		
According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b> Minimum documentation searched (classification system followed by classification symbols) IPC 7 G01N C12P		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, WPI Data, PAJ		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 786 161 A (IRSCH JOHANNES ET AL) 28 July 1998 (1998-07-28) column 4, line 1 - column 6, line 24	1,3,4,6, 7
A	WO 94/09117 A (MILTENYI BIOTEC INC ; MILTENYI STEFAN (DE); RADBRUCH ANDREAS (DE); MAN) 28 April 1994 (1994-04-28) claims 1-59	1-7
A	WO 02/057423 A (CHEN GANG ; FANDL JAMES P (US); STAHL NEIL (US); REGENERON PHARMA (US)) 25 July 2002 (2002-07-25) page 25, line 20 - page 31, line 6	1-7
A	WO 99/58977 A (ASSENMACHER MARIO ; MILTENYI STEFAN (DE); SCHMITZ JURGEN (DE); MILTENY) 18 November 1999 (1999-11-18) abstract	1-7
-/-		
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
* Special categories of cited documents : <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> </div> <div style="width: 48%;"> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</p> <p>"&amp;" document member of the same patent family</p> </div> </div>		
Date of the actual completion of the international search 1 October 2004		Date of mailing of the international search report 08/10/2004
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Dietz Schlereth, D

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 92/02551 A (UNIV BRITISH COLUMBIA ; B R CENTRE LIMITED (CA)) 20 February 1992 (1992-02-20) cited in the application the whole document	1-7
P,X	WO 2004/051268 A (LIGHTWOOD DANIEL JOHN ; BUTLER LISA (GB); BROWN DEREK THOMAS (GB); CEL) 17 June 2004 (2004-06-17) the whole document	1,2,5,7

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**Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)**

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 8-10  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

**Box III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**Remark on Protest**

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 8-10

Claims 8-10 do not meet the requirements of Art. 6 PCT in combination with Art. 5 PCT, for the following reason: it is not possible to know the extent of the scope of claim 8 because this claim defines the subject-matter for which protection is sought (an antibody) by its manufacture process instead of by technical features inherent to said antibody. Analogous arguments apply for the subject-matter of claims 9-10.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5786161	A	28-07-1998	AU 3032797 A CA 2250746 A1 DE 69701576 D1 DE 69701576 T2 WO 9746880 A1 EP 0918992 A1 US 5916818 A	05-01-1998 11-12-1997 04-05-2000 19-10-2000 11-12-1997 02-06-1999 29-06-1999
WO 9409117	A	28-04-1994	AT 237808 T AU 679949 B2 AU 5538594 A CA 2146974 A1 DE 69332884 D1 DE 69332884 T2 EP 1324040 A2 EP 0667896 A1 ES 2191677 T3 JP 8504574 T WO 9409117 A1	15-05-2003 17-07-1997 09-05-1994 28-04-1994 22-05-2003 20-11-2003 02-07-2003 23-08-1995 16-09-2003 21-05-1996 28-04-1994
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WO 9958977	A	18-11-1999	AU 765085 B2 AU 4073699 A CA 2330678 A1 EP 1078263 A1 JP 2002514765 T WO 9958977 A1 US 6576428 B1 US 2004023377 A1	11-09-2003 29-11-1999 18-11-1999 28-02-2001 21-05-2002 18-11-1999 10-06-2003 05-02-2004
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